

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA, )  
vs. )  
Plaintiff, )  
vs. )  
JOHN EDWARD ROBINSON, )  
Defendant. )  
Case No. 06-00083-CR-W-GAF

## **ORDER**

Now pending before the Court is the Government's Motion to Dismiss Without Prejudice.

Defendant opposes this motion, asking the court to dismiss the action with prejudice or not dismiss the action at all.

On August 28, 2006, United States Magistrate Judge Robert E. Larsen issued his Report and Recommendation (Doc. #40). On August 30, 2006, defendant filed his Objections to the Report and Recommendation of United States Magistrate (Doc. #41).

Upon careful and independent review of the pending motion, defendant's objections to the Magistrate's Report and Recommendation, as well as the applicable law, this Court hereby adopts and incorporates as its own Opinion and Order the Report and Recommendation of United States Magistrate Judge Robert E. Larsen.

Accordingly, it is hereby ORDERED that the Government's Motion to Dismiss Without Prejudice is granted.

IT IS FURTHER ORDERED that the Order of Dismissal shall contain the language:

“Defendant is to be returned to the custody of the State of Kansas with all of his legal documents and possessions.”

SO ORDERED.

/s/ Gary A. Fenner

GARY A. FENNER, JUDGE  
United States District Court

DATED: September 15, 2006